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8	Attorneys for Defendant, ALEXANDER SMIRNOV
	UNITED STATES DISTRICT COURT
9	CENTRAL DISTRICT OF CALIFORNIA * * * * * *
10	* * * * * * *
11	UNITED STATES OF AMERICA,)
12) Plaintiff,)
13) Case No. 2:24-CR-00091-ODW
14	v.)
15	ALEXANDER SMIRNOV,)
16	
17	Defendant,)
18	
19	<u>DEFENDANT'S UNOPPOSED EX PARTE MOTION TO</u> <u>MODIFY PROTECTIVE ORDER (ECF. NO. 59) (MAR. 19, 2024)</u>
20	
21	COMES NOW, Defendant, ALEXANDER SMIRNOV ("Mr. Smirnov"), by and through
22	his attorneys, DAVID Z. CHESNOFF, ESQ., and RICHARD A. SCHONFELD, ESQ., of the law
23	firm of CHESNOFF & SCHONFELD and hereby submits this Unopposed Ex Parte Motion to
24	Modify the Protective Order (ECF No. 59, Mar. 19, 2024) (attached as Exhibit 1), as set forth in
25	the Proposed Order (attached as Exhibit 2).
26	Counsel for Mr. Smirnov advises that BILAL A. ESSAYLI, U.S. ATTORNEY and
27	DAVID R. FRIEDMAN, AUSA, have been apprised of this Unopposed Ex Parte Motion and
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Filed 04/17/25 Page 2 of 6 Page ID Case 2:24-cr-00091-ODW Document 231

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Proposed Order, and that they expressly concur with and do not oppose either submission or the relief that is being requested. See Declaration of David Z. Chesnoff, Esq., infra. Dated this 17th day of April, 2025. Respectfully Submitted: CHESNOFF & SCHONFELD /s/ David Z. Chesnoff DAVID Z. CHESNOFF, ESQ. Pro Hac Vice RICHARD A. SCHONFELD, ESQ. California Bar No. 202182 10 520 South Fourth Street Las Vegas, Nevada 89101 Telephone: (702)384-5563 12 dzchesnoff@cslawoffice.net 13 rschonfeld@cslawoffice.net Attorneys for Defendant 14 ALEXANDER SMIRNOV 15 16 17 18 19 20 21 22 23 24 25 26 27

PROCEDURAL HISTORY

- 1. On February 14, 2024, the United States filed a two-count Indictment in Case No. 2:24-CR-00091-ODW. *See* ECF No. 1.
- 2. On March 15, 2024, the parties submitted a "Stipulation and Joint Request for a Protective Order Regarding Discovery Containing Personal Identifying Information; Privacy Act Information; Grand Jury Information; and Sensitive U.S. Government Information." ECF No. 58.
- 3. On March 19, 2024, this Court entered an Order granting the Stipulation and Joint Request. ECF No. 59 (Ex. 1).
- 4. Mr. Smirnov has, to date, complied with each and every order, command, and restriction set forth in that Protective Order.
- 5. On December 12, 2024, after the United States had filed a second Indictment charging Mr. Smirnov with certain federal tax offenses (*see* ECF No. 1 in Case No. 2:24-CR-00702-ODW), the parties entered into a binding plea agreement under Fed. R. Crim. P. (c)(1)(C), which this Court accepted. *See* ECF Nos. 195, 199 (No. 2:24-CR-00091-ODW) & Nos. 9, 11 (No. 2:24-CR-00702-ODW).
- 6. On January 8, 2025, this Court sentenced Mr. Smirnov principally to 72 months' imprisonment. *See* ECF No. 216 & 37 (Judgment in Nos. 2:24-CR-00091-ODW and 2:24-CR-00702-ODW); *see also* ECF No. 223 & 42 (Amended Judgment in Nos. 2:24-CR-00091-ODW and 2:24-CR-00702-ODW) (Jan. 16, 2025).

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF UNOPPOSED MOTION TO TERMINATE PROTECTIVE ORDER

- 7. Now that judgment has been entered, the parties agree and jointly stipulate that a modification to the Protective Order is appropriate. Specifically, the parties agree that defendant should be able to share discovery subject to the Protective Order with other officials in the Executive Branch, provided that counsel for the Government consents to the disclosure.
- 8. Accordingly, the parties further agree that this Court's Protective Order dated March 19, 2024 (Ex. 1)—together with any and all orders, commands, and restrictions contained in that Protective Order—shall be modified in accordance with the Proposed Order attached as Exhibit 2.

CONCLUSION

For the foregoing reasons, Mr. Smirnov requests that this Court GRANT his Unopposed *Ex Parte* Motion, as set forth in the Proposed Order.

SUBMITTED this 17th day of April, 2025.

Respectfully Submitted:

CHESNOFF & SCHONFELD

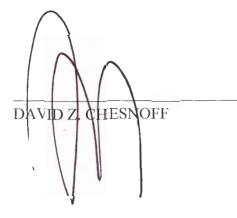
/s/ David Z. Chesnoff
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ALEXANDER SMIRNOV

DECLARATION OF COUNSEL

- I, David Z. Chesnoff, do hereby declare that the following statements are true and correct:
- 1. I am co-counsel of record for Defendant Alexander Smirnov in this case.
- 2. The assertions in this Unopposed *Ex Parte* Motion to Modify the Protective Order (ECF No. 59) are true and correct upon information and belief.
- 3. Undersigned counsel has communicated with United States Attorney Bilal A. Essayli and Assistant United States Attorney David R. Friedman, who advise that the Government expressly concurs with and does not oppose this *Ex Parte* Motion to Modify the Protective Order.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 17th day of April, 2025.



CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of April, 2025, I caused the forgoing document to be filed electronically with the Clerk of the Court through the CM/ECF system for filing; and served on counsel of record via the Court's CM/ECF system.

/s/ Camie Linnell

Employee of Chesnoff & Schonfeld